

08 JUL 2002

#8



PATENT

Atty. Docket: 203-2368 (2132)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Charles D. Ray

Serial No.: 09/807,318

Filed: October 6, 2000

Dated: June 26, 2002

For: INTERBODY DEVICE AND METHOD FOR TREATMENT OF
OSTEOPOROTIC VERTEBRAL COLLAPSEAttn: John L. Anderson
Assistant Commissioner for Patents
Washington, DC 20231**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Mr. Anderson:

In response to the "Notification of Missing Requirements" mailed April 29, 2002 in connection with the above-identified application, enclosed please find copies of the following documents filed with the U.S. Patent and Trademark Office under a Certificate of Mailing dated February 22, 2002:

1. Submission of Declaration/Power of Attorney of Non-Provisional Application; and

CERTIFICATION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service on this date June 26, 2002 in an envelope addressed to: Attn: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Joseph W. Schmidt

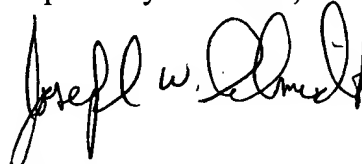
Type or print name of person mailing paper)

Signature of person mailing paper)

2. Combined Declaration and Power of Attorney.

Also enclosed is a copy of the postcard accompanying the documents as stamped receipt acknowledging receipt of same by the PTO. If you have any further questions, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph W. Schmidt". The signature is fluid and cursive, with the first name "Joseph" and last name "Schmidt" being the most legible parts.

Joseph W. Schmidt
Registration No. 36,920
Attorney for Applicant(s)

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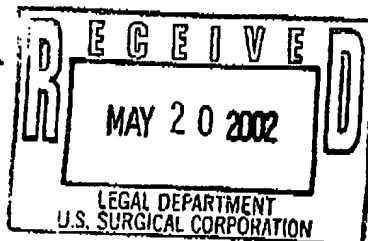


UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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09/807,318

 Joseph W Schmidt
 Dilworth & Barrese
 333 Earle Ovington Blvd
 Iniondale, NY 11553


INTERNATIONAL APPLICATION NO.

PCT/US98/14146

I.A. FILING DATE

07/09/1998

PRIORITY DATE

07/09/1997

CONFIRMATION NO. 4517

371 FORMALITIES LETTER



OC000000007967841

Date Mailed: 04/29/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Copy of the International Search Report
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9116

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/807,318	PCT/US98/14146	

FORM PCT/DO/EO/905 (371 Formalities Notice)

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Submission of Declaration/Power of Attorney
2. Executed Declaration/Power of Attorney
3. Check for \$130.00
4. Return postcard

All submitted under Certificate of Mailing 37 C.F.R. §1.8(a)
dated February 22, 2002

Applicants	Charles D. Ray
Serial No.	09/807,918
Filed	October 6, 2000
For	INTERBODY DEVICE AND METHOD FOR TREATMENT OF OSTEOPOROTIC VERTEBRAL COLLAPSE
Docket No.	203-2368

JWS/mb

